

To the United States Department of Justice:

**Sub: Opinion on Microsoft settlement**

I am writing in response to the proposed settlement which is currently under the 60 day public comment period. I consider myself to be a person whom the outcome of this case will have a very significant effect. Since it has been proven in US court of justice that Microsoft Corporation has been unlawfully maintaining its monopoly, violating US competition laws. Being a software engineer for about 3 years now I have been in situations when I was a victim of the unlawful monopoly and hence, I would like to make a few suggestions and give possible solutions so that the rights and freedom of people like me are protected in the free market.

Firstly, the judgment has overlooked an important aspect. All OEM's licensing Microsoft software should be made to provide an **option without** the Microsoft product. For e.g., An OEM selling desktop computers preinstalled with Microsoft Windows Operating System should give an option of a desktop without the Microsoft software. The rationale being "Why should a consumer who just wishes to buy a desktop computer be forced to have Microsoft software pre-installed on it." Currently there is not a single portable computer (notebook) in the market which offers a option other than Microsoft Windows.

Microsoft has been using open standards in its products and then making some proprietary extensions and claiming all rights over it including closing the source of the so-far open protocol. How can Microsoft claim trade secrecy for a protocol that is distributed over the Internet? For example the 'Kereberos' case.

Microsoft makes it unable for prospective purchasers of its operating system to make informed judgments regarding interoperability with other operating systems in connection with their purchasing decisions. Also it overwrites MASTER BOOT RECORD of all other previous OS's thus ensuring that user does not have access to his/her OS, other than WINDOWS. The fact is that now, Microsoft has a monopoly on not only operating systems, but also to a lesser degree, office software and web browsers. They have blatantly and obviously abused this monopoly in many cases over the years and it has to stop. The DOJ has made that very clear. However the penalties sought to be imposed nor the agreement between the DOJ and MICROSOFT do not properly address and punish MS for its judged illegal Monopoly. All communication standards and protocols and API, file system formats must be made open source so that all developers can effectively compete and produce more efficient software for the users who are currently forced into buying MS software by various illegal means.

Sincerely hoping that my comments would be helpful to the justice effort.

Regards,



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